

EXHIBIT 1

Foster, Dana

From: Andrew Caine <acaine@pszjlaw.com>
Sent: Friday, June 17, 2016 1:12 PM
To: 'cummings@rbmchicago.com'; 'madans@rbmchicago.com'; Curran, Christopher; Paul, George; Lau, Albie; Foster, Dana
Cc: Lynn Tavenner; Paula S. Beran
Subject: Illinois/Hitachi - subpoena to Circuit City Liquidating Trust
Attachments: DOC069.pdf

Dear Counsel –

This firm is general counsel to the Circuit City Stores, Inc. Liquidating Trust (the “Trust”). The attached subpoena was delivered to the office of our Richmond counsel yesterday.

The Trust will diligently review and respond to the subpoena, but it is not practicable to do so in the very short time frame provided in the subpoena. We will discuss the requests internally and get back to you with proposed timing for the Trust’s response and deposition.

Please feel free to call me to discuss the matter.

Andy Caine

Andrew Caine
Pachulski Stang Ziehl & Jones LLP
Direct Dial: 310.772.2357
Tel: 310.277.6910 | Fax: 310.201.0760
acaine@pszjlaw.com
[vCard](#) | [Bio](#) | [LinkedIn](#)



Los Angeles | San Francisco | Wilmington, DE | New York

CONFIDENTIALITY

This e-mail message and any attachments thereto is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail message, you are hereby notified that any dissemination, distribution or copying of this e-mail message, and any attachments thereto is strictly prohibited. If you have received this e-mail message in error, please immediately notify me by telephone and permanently delete the original and any copies of this email and any prints thereof.

NOT INTENDED AS A SUBSTITUTE FOR A WRITING

Notwithstanding the Uniform Electronic Transactions Act or the applicability of any other law of similar substance and effect, absent an express statement to the contrary hereinabove, this e-mail message, its contents, and any attachments hereto are not intended to represent an offer or acceptance to enter into a contract and are not otherwise intended to bind the sender, Pachulski Stang Ziehl & Jones LLP, any of its clients, or any other person or entity.

**SUBPOENA/SUBPOENA DUCES TECUM
TO PERSON UNDER FOREIGN SUBPOENA**

File No. CL16-2739-2

Commonwealth of Virginia VA CODE §§ 8.01-412.8—8.01-412.15; Rule 4:9

Richmond

Circuit Court

400 N. 9th Street Richmond, VA 23219

ADDRESS OF COURT

THE STATE OF ILLINOIS

HITACHI, LTD., et al.

v./In re:

TO THE PERSON AUTHORIZED BY LAW TO SERVE THIS PROCESS:

You are commanded to summon

Circuit City Stores, Inc. Liquidating Trust c/o Tavenner & Beran, PLC

NAME

20 North Eighth Street, Second Floor

STREET ADDRESS

Richmond, Virginia 23219

CITY

STATE

ZIP

TO THE PERSON SUMMONED: You are commanded to

☒ attend and give testimony at a deposition

☒ produce the books, documents, records, electronically stored information, and tangible things designated and described below

See attached Notice of Discovery and Evidence Depositions and Document Subpoena

at 1320 East Cary Street, Richmond, VA 23219

LOCATION

at June 30, 2016 at 9:00 a.m.

DATE AND TIME

and to permit inspection and copying by the requesting party or someone acting in his or her behalf of the designated items in your possession, custody or control

☐ permit inspection of the premises

at the following location

LOCATION

on

DATE AND TIME

This subpoena is issued upon the request of the party named below

Daniel Cummings

NAME OF REQUESTING PARTY

150 South Wacker Drive, Suite 3025

STREET ADDRESS

Chicago, IL 60606 (312) 372-2345

CITY

STATE

ZIP

TELEPHONE NUMBER

12-CH-35266

The requesting party has submitted to this Clerk's Office the foreign subpoena, copy attached, the terms of which are incorporated herein, and the written statement required by Virginia Code § 8.01-412.10.

The names, addresses and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of parties not represented by counsel are provided ☐ below ☒ on attached list.

6-14-16
DATE ISSUED

EDWARD F. JEWETT, Clerk

CLERK

by *RV Galena Johnson*
DEPUTY CLERK

NAME OF ATTORNEY FOR REQUESTING PARTY

BAR NUMBER

LICENSING STATE

OFFICE ADDRESS

TELEPHONE NUMBER OF ATTORNEY

OFFICE ADDRESS

FACSIMILE NUMBER OF ATTORNEY

NAME

BAR NUMBER

LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

NAME

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STREET ADDRESS

FACSIMILE NUMBER

NAME

BAR NUMBER

LICENSING STATE

STREET ADDRESS

TELEPHONE NUMBER

STREET ADDRESS

FACSIMILE NUMBER

RETURN OF SERVICE (see page three of this form)

12-CH-35266

☐ This SUBPOENA/SUBPOENA DUCES TECUM TO PERSON UNDER FOREIGN SUBPOENA is being served by a private process server who must provide proof of service in accordance with Va. Code § 8.01-325.

TO the person authorized to serve this process: Upon execution, the return of this process shall be made to the Clerk of Court.

NAME: _____

ADDRESS: _____

☐ PERSONAL SERVICE

Tel. _____
No. _____

Being unable to make personal service, a copy was delivered in the following manner:

☐ Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above:

☐ Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)

☐ not found

_____, Sheriff

by _____, Deputy Sheriff

DATE

Subpoena in a Civil Matter (For Testimony and/or Documents)

(This form replaces CCG N006 & CCG N014) (Rev. 6/25/09) CCG 0106

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

THE STATE OF ILLINOIS, by its Attorney General, Lisa Madigan

Plaintiff/Petitioner

v.

HITACHI, LTD., et al.

Defendant/Respondent

SUBPOENA IN A CIVIL MATTER
(For Testimony and/or Documents)

FILED-1
2016 JUN 13 PM 2:42
No. 12-CV-35653

CIRCUIT COURT OF COOK
COUNTY OF ILLINOIS
LAW DIVISION

To: Circuit City Stores, Inc. Liquidating Trust c/o Tavenner & Beran, PLC
20 North Eighth Street, Second Floor
Richmond, Virginia 23219

- ☐ 1. YOU ARE COMMANDED to appear to give your testimony before the Honorable _____
In Room _____, Illinois on _____,
at _____ m.
- ☒ 2. YOU ARE COMMANDED to appear and give your deposition testimony before a Notary Public at: Courtyard Richmond Downtown
In Room _____, 1320 East Cary Street, Richmond, VA 23219, Illinois on June 30, 2016
at 9:00 a.m. _____ m.
- ☒ 3. YOU ARE COMMANDED to mail the following documents in your possession or control to William Bave, White & Case LLP
at 1155 Avenue of the Americas New York, NY 10036, in electronic format to william.bave@whitecase.com, on or before June 30, 2016
at 9:00 a.m. _____ m.
- ~~(THIS IS FOR RECORDS ONLY. THERE WILL BE NO ORAL INTERROGATORIES.)~~
See attached Notice of Discovery and Evidence Depositions and Document Subpoena

☒ Description continued on attached page(s).

YOUR FAILURE TO RESPOND TO THIS SUBPOENA WILL SUBJECT YOU TO PUNISHMENT FOR CONTEMPT OF THIS COURT.

Notice to Deponent:

- ☒ 1. The deponent is a public or private corporation, partnership, association, or governmental agency. The matter(s) on which examination is requested are as follows: See attached Notice of Discovery and Evidence Depositions and Document Subpoena

☒ Description continued on attached page(s).

(A nonparty organization has a duty to designate one or more officers, directors, or managing agents, or other persons to testify on its behalf, and may set forth, for each person designated, the matters on which that person will testify. Ill. Sup. Ct. Rule 206.)

- ☒ 2. The deponent's testimony will be recorded by use of an audio-visual recording device, operated by Victor M. Renteria, Jr., CLVS of Visual Discovery, Inc.
(Name of Recording Device Operator)

3. No discovery deposition of any party or witnesses shall exceed three hours regardless of the number of parties involved in the case, except by stipulation of the parties or by order upon showing that good cause warrants a lengthier examination. Ill. Sup. Ct. Rule 206(d).

Atty. No. 90707

Pro Se 99500

Name: Daniel Cummings

Issued by:

Signature

Atty. for: Toshiba Corporation and Toshiba America Electronic Components, Inc.

Address: 150 South Wacker Drive, Suite 3025

City/State/Zip: Chicago, IL 60606

Telephone: (312) 372-2345

☒ Attorney

☐ Clerk of Court

Date:

- ☐ I served this subpoena by mailing a copy, as required by Ill. Sup. Ct. Rules 11, 12 and 204(a)(2), to _____
by certified mail, return receipt requested (Receipt # _____) on _____.
I paid the witness \$ _____ for witness and mileage fees.

- ☐ I served this subpoena by handing a copy to _____ on _____.
I paid the witness \$ _____ for witness and mileage fees.

(Signature of Server)

(Print Name)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

FILED-1
IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION
2016 JUN 13 PM 2:11

STATE OF ILLINOIS, *ex rel.* Lisa Madigan,
Attorney General,

Plaintiff,

v.

HITACHI, LTD., *et al.*,

Defendants.

CIRCUIT COURT OF COOK
COUNTY OF ILLINOIS
LAW DIVISION

No. 12-CH-35266

Hon. Rita M. Novak

LIST OF PARTIES AND ATTORNEYS

Plaintiff the State of Illinois, by its Attorney General, Lisa Madigan

Blake Harrop
Chadwick Brooker
Antitrust Bureau
OFFICE OF THE ILLINOIS ATTORNEY GENERAL
100 West Randolph Street
Chicago, Illinois 60601

Defendants Hitachi, Ltd., Hitachi Electronic Devices (USA), Inc., and Hitachi Displays, Ltd.

Kate Wheaton
Karl Stampfl
KIRKLAND & ELLIS
300 North LaSalle Street
Chicago, IL 60654

Defendants Philips Electronics North America Corporation and Koninklijke Philips N.V.

Jeffery Cross
David C. Gustman
Tonita M. Helton
FREEBORN & PETERS LLP
311 S. Wacker Drive, Suite 300
Chicago, IL 60606

John M. Taladay
Erik T. Koons
Charles M. Malaise
BAKER BOTTS LLP
1299 Pennsylvania Avenue, NW
Washington, DC 20004-2400

Defendants Toshiba Corporation and Toshiba America Electronic Components, Inc.

Dan Cummings
Alan Madans
ROTHSCHILD, BARRY & MYERS
150 South Wacker Drive
Suite 3025
Chicago, IL 60606

Christopher M. Curran
Lucius B. Lau
Dana E. Foster
WHITE & CASE
701 Thirteenth Street, N.W.
Washington, DC 20005

William H. Bave, III.
WHITE & CASE
1155 Avenue of the Americas
New York, NY 10036

Defendants Samsung SDI America, Inc. and Samsung Display Device Co., Ltd.

Daniel G. Rosenberg
Catherine B. Diggins
SHEPPARD, MULLIN, RICHTER & HAMPTON, LLP
Three First National Plaza
70 West Madison Street, 48th Floor
Chicago, Illinois 60602

Michael Scarborough
Tyler M. Cunningham
SHEPPARD MULLIN RICHTER & HAMPTON LLP
4 Embarcadero Center, 17th Floor
San Francisco, CA 94111

**Defendants Panasonic Corporation, Panasonic Corporation of North America, and MT
Picture Display Co., Ltd.**

Duane M. Kelley
James F. Herbison
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, IL 60601

Jeffrey L. Kessler
Eva W. Cole
Molly M. Donovan
WINSTON & STRAWN LLP
200 Park Avenue
New York, New York 10166-4193

Steven A. Reiss
David L. Yohai
Adam C. Hemlock
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, New York 10153-0119

Defendants LG Electronics, Inc. and LG Electronics USA, Inc.

Nathan P. Eimer
David M. Simon
EIMER STAHL LLP
224 South Michigan Avenue, Suite 1100
Chicago, IL 60604

Miriam Kim
MUNGER, TOLLES & OLSON LLP
560 Mission Street
27th Floor
San Francisco, California 94105-2907

Jessica Barclay-Strobel
MUNGER, TOLLES & OLSON LLP
355 South Grand Ave.
35th Floor
Los Angeles, California 90071

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

FILED-1

**JUN 13 PM 2:43
CIRCUIT COURT OF COOK
COUNTY OF ILLINOIS
LAW DIVISION**

STATE OF ILLINOIS, *ex rel.* Lisa Madigan,
Attorney General,

Plaintiff,

v.

HITACHI, LTD., *et al.*,

Defendants.

No. 12-CH-35266

Hon. Rita M. Novak

**NOTICE OF RULE 206(a)(1) DISCOVERY AND EVIDENCE DEPOSITIONS AND
DOCUMENT SUBPOENA**

TO: All Counsel of Record

PLEASE TAKE NOTICE that, pursuant to Rule 206(a)(1) of the Illinois Supreme Court Rules, Defendants Toshiba Corporation and Toshiba America Electronic Components, Inc., through counsel and in conjunction with all defendants, will take the discovery deposition, followed by the evidence deposition, of the person or persons designated by Alfred H. Siegel, as Trustee of the Circuit City Stores, Inc. Liquidating Trust ("Circuit City") to testify about the information known or reasonably available to Circuit City on the matters set forth in the attached Exhibit A. Circuit City is directed to produce the documents set forth in Exhibit B attached hereto.

The deposition will commence on June 30, 2016 at 9:00 a.m. at Courtyard Richmond Downtown, 1320 East Cary Street, Richmond, VA 23219. The deposition shall be recorded stenographically and a real-time transcription service such as LiveNote may also be available for the use of counsel. The deposition may also be recorded by sound or sound-and-visual means by

Victor M. Renteria, Jr., CLVS of Visual Discovery, Inc. The deposition will continue pursuant to the Illinois Supreme Court Rules or order of the Court.

Circuit City is advised that Rule 206(a)(1) requires it to produce one or more witnesses at the stated location and time who are knowledgeable and prepared to testify about each of the matters identified in the List of Matters on Which Examination is Requested attached hereto as Exhibit A. The designated witness or witnesses must be prepared to testify about matters known by or reasonably available to Circuit City, not just information personally known by the witness.

Dated: June 13, 2016

By: 

Daniel Cummings
Alan Madans
150 South Wacker Drive
Suite 3025
Chicago, IL 60606
Telephone: (312) 372-2345
Fax: 312-372-2350
E-mail: cummings@rbmchicago.com
madans@rbmchicago.com

Christopher M. Curran
George L. Paul
Lucius B. Lau
Dana E. Foster
White & Case
701 Thirteenth Street, N.W.
Washington, DC 20005
Telephone: (202) 626-3600
Email: ccurran@whitecase.com
gpaul@whitecase.com
alau@whitecase.com
defoster@whitecase.com

*Counsel for Toshiba Corporation and Toshiba
America Electronic Components, Inc.*

EXHIBIT A

DEFINITIONS

For the purposes of this Notice of Deposition, the following definitions apply:

1. "Any" shall be construed to mean "any and all."
2. "CRT" or "CRTs" means any (a) color picture tubes ("CPTs"), which are cathode ray tubes used primarily in color televisions, and (b) color display tubes ("CDTs"), which are used primarily in computer monitors.
3. "CRT Finished Product" or "CRT Finished Products" means televisions containing CPTs or computer monitors containing CDTs.
4. "Defendant" or "Defendants" means any of the entities currently or formerly named as defendants in this litigation and, without limitation, all of their past and present parents, subsidiaries, affiliates, joint ventures, officers, directors, employees, agents, attorneys, or representatives (and the parents', subsidiaries', affiliates', or joint ventures' past and present officers, directors, employees, agents, attorneys, or representatives), and the predecessors, successors, heirs, executors, administrators, and assigns of each of the foregoing.
5. "Document(s)" has the broadest possible meaning permissible under Illinois Supreme Court Rule 214, including, but not limited to, any written, printed, typed, recorded, filmed, punched, transcribed, taped or other graphic matter of any kind or nature, however produced or reproduced, whether in hard copy, electronic, or other form, and includes, without limitation, pamphlets, brochures, books, booklets, information sheets, papers, articles, journals, magazines, computer printouts, Internet search results, tapes, discs or other forms of audio, visual or audio/visual recordings, records, memoranda, reports, financial statements, affidavits, handwritten and other notes, transcripts, paper, indices, letters, envelopes, telegrams, cables, electronic mail messages,

telex messages, telecopied messages, telephone messages, summaries or records of telephone conversations, summaries or records of personal conversations or interviews, summaries or records of meetings or conferences, minutes or transcriptions or notations of meetings or telephone conversations or other communications of any type, tabulations, studies, analyses, evaluations, projections, work papers, statements, summaries, opinions, journals, desk calendars, product labels, prescriptions, package inserts or other information accompanying medications, maintenance or service records, appointment books, diaries, billing records, checks, bank account statements, invoices, photographs, microfilms, tapes or other records, punch cards, magnetic tapes, discs, data cells, drums, printouts, other data compilations (in any form) from which information can be obtained, recordings made through data processing techniques and the written information necessary to understand and use such materials, and any other Documents discoverable under the Illinois Supreme Court Rule 214.

6. "Person" means and includes all natural persons or entities, governmental units, partnerships, firms, corporations, associations, joint ventures, any other form of business organization or arrangement, or any form of public, private or legal entity.

7. "Relating to," "referring to," "regarding," or "with respect to" mean, without limitation, the following concepts: discussing, describing, reflecting, dealing with, pertaining to, analyzing, evaluating, estimating, constituting, studying, surveying, projecting, assessing, recording, summarizing, criticizing, reporting, commenting, or otherwise involving, in whole or in part.

8. "Relevant Period" means March 1, 1995, to November 25, 2007.

9. "You," "Your," and "Circuit City" mean Circuit City Stores, Inc. and any other d/b/a's affiliated with Circuit City Stores, Inc., together with all present and former directors,

officers, employees, or agents of the entities listed in this Definition.

LIST OF MATTERS UPON WHICH EXAMINATION IS REQUESTED

1. Your overall corporate structure, including the identification of departments within Circuit City responsible for the purchase, sale, pricing, marketing, or distribution of CRT Finished Products and their functions and the identification of any individuals that had managerial responsibility for the purchase, sale, pricing, marketing, or distribution of CRT Finished Products.
2. The identity and general description of the CRT Finished Products You purchased, sold, marketed, or distributed.
3. The identity of the Defendants from whom you purchased CRT Finished Products, and the identity and amount of CRT Finished Products You purchased from them (by year, in units, and U.S. dollars), if any.
4. The identity of any non-Defendant manufacturers, producers, or distributors from whom You purchased CRT Finished Products, and the identity and amount of CRT Finished Products (by year, in units, and U.S. dollars) that You purchased from them, if any.
5. Circuit City's purchase or acquisition of CRT Finished Products.
6. The factors Circuit City considered in determining (a) from which Defendant(s) or non-Defendant(s) to purchase CRT Finished Products, and (b) which CRT Finished Products to purchase from particular Defendants and non-Defendants, including but not limited to the vendor qualification process and new model reviews.
7. The process by which You negotiated, entered into, approved, or ratified purchase agreements or contracts for CRT Finished Products, including: (a) Your policies and practices regarding the negotiation of terms and conditions of such sales contracts; (b) use of standardized

sales or purchase contracts; (c) use of "MFN" (Most Favored Nation) or "MFC" (Most Favored Company) clauses or similar price-protection clauses; (d) the use of dealer agreements; and (e) the identity and location of documents that relate to the matters specified in this topic.

8. Circuit City's sales of CRT Finished Products, including:

- (a) the overall sales volume (by units and dollar value);
- (b) the sales volume in Illinois (by units and dollar value);
- (c) the price quoted and received for each sale (including any discounts, rebates, and other terms of sale);
- (d) the date and quantity of each sale; and
- (e) the person(s) to whom such CRT Finished Products were sold.

9. Your policies and practices for setting the price at which You sold CRT Finished Products to Your customers.

10. Your participation in any discounts, promotions, rebates, or advertising cooperative programs provided or sponsored by any Defendant or non-Defendant from whom You purchased CRT Finished Products.

11. Your use of discounts, promotions, rebates or loyalty programs in connection with the sale of CRT Finished Products to Your customers, including how You recorded such discounts or rebates, and the identity and location of documents or data recording such discounts or rebates.

12. How Circuit City's CRT Finished Products were marketed for sale, including whether factors other than price were evident in the marketing materials and how the marketing strategy was determined and implemented for the CRT Finished Products sold.

13. Other products that You believed were viewed by Your customers as alternatives to CRT Finished Products, including: (a) products other than CRT Finished Products; (b) the reasons that You believe Your customers viewed such products to be alternatives to the CRT Finished Products You purchased from the Defendants; (c) the extent to which these products had any effect on Your pricing decisions; and (d) the identity and location of documents that relate to the matters specified in this topic.

14. All contracts or any other agreements relating to CRT Finished Products between Circuit City and any entity, including the terms and conditions of any such contracts or agreements, including the scope of the agreement, choice of law, and forum selection.

15. Explanation of whether, based on records maintained by Circuit City, it is possible to link, trace, or otherwise establish a relationship between the CRT Finished Products that Circuit City purchased to those that it sold and, if so, how.

16. Your practices, policies, and procedures concerning Your market monitoring activity for CRT Finished Products, including the following: (a) Your competitive intelligence activities; (b) Your use of third-party data sources and market share/data analyses; and (c) Your knowledge, use, and tracking of Your competitors' pricing for CRT Finished Products.

17. The extent to which Circuit City passed on its costs in purchasing or acquiring CRT Finished Products to its customers, including pricing practices and timing of price increases, but not including precise figures or total amounts of price margins.

18. The aggregate amount that You received to settle Your claims in the CRT MDL, including any claims relating to alleged overcharges for CRTs contained in CRT Finished Products You sold or distributed to Persons in Illinois.

EXHIBIT B
DEFINITIONS

The applicable Definitions appear in Exhibit A.

INSTRUCTIONS

1. In responding to this subpoena, You are requested to produce all Documents in Your possession, custody, or control, wherever located.
2. All Documents should be produced as maintained in the ordinary course of business.
3. If any part of a Document is responsive to any Request herein, produce the entire Document, including any attachments or exhibits.
4. In the event that more than one copy of a Document exists, produce each copy on which there appears any notation or marking of any sort not appearing on any other copy (including routing or filing instructions) or any copy containing different attachments from any other copy.
5. If You withhold any Documents on a claim of privilege, You must provide a statement of the claim of privilege and all facts relied upon in support of that claim.
6. All electronically stored information shall be produced. Documents originating in paper or other hard copy format should be produced in 300 DPI Group IV Monochrome Tagged Image File Format (.TIFF or .TIF) files. TIFF files shall be produced in single-page format along with image load files (.DII file and .OPT file and .LPF file). All Documents are to be provided with multi-page searchable text (.TXT) files. These text files and image load files should indicate page breaks to the extent possible, as well as Production Number Begin, Production Number End, Production Attachment Range Number Begin, Production Attachment Range Number End, and Production Document Page Count. As well, each .TIFF image should be branded with the applicable Bates number and confidentiality designation (pursuant to the Protective Order, a copy of which is attached).

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All Documents produced by You in *In re: Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 07-5944 JST, MDL 1917 (N.D. Cal.).

Subpoena in a Civil Matter (For Testimony and/or Documents)

(This form replaces CCG N006 & CCG N014) (Rev. 6/25/09) CCG 0106

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

THE STATE OF ILLINOIS, by its Attorney General, Lisa Madigan

Plaintiff/Petitioner

v.

HITACHI, LTD., et al.

Defendant/Respondent

No. 12-CH-35266

SUBPOENA IN A CIVIL MATTER
(For Testimony and/or Documents)

To: Circuit City Stores, Inc. Liquidating Trust c/o Tavenner & Beran, PLC
20 North Eighth Street, Second Floor
Richmond, Virginia 23219

- ☐ 1. YOU ARE COMMANDED to appear to give your testimony before the Honorable _____
In Room _____, Illinois on _____,
at _____ m.
- ☒ 2. YOU ARE COMMANDED to appear and give your deposition testimony before a Notary Public at: Courtyard Richmond Downtown
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at 9:00 a.m. _____ m.
- ☒ 3. YOU ARE COMMANDED to mail the following documents in your possession or control to William Bave, White & Case LLP
at 1155 Avenue of the Americas New York, NY 10036, in electronic format to william.bave@whitecase.com, on or before June 30, 2016
at 9:00 a.m. _____ m.
- ~~(THIS IS FOR RECORDS ONLY. THERE WILL BE NO ORAL INTERROGATORIES.)~~
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☒ Description continued on attached page(s).

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Notice to Deponent:

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☒ Description continued on attached page(s).

(A nonparty organization has a duty to designate one or more officers, directors, or managing agents, or other persons to testify on its behalf, and may set forth, for each person designated, the matters on which that person will testify. Ill. Sup. Ct. Rule 206.)

- ☒ 2. The deponent's testimony will be recorded by use of an audio-visual recording device, operated by Victor M. Renteria, Jr., CLVS of Visual Discovery, Inc.
(Name of Recording Device Operator)

3. No discovery deposition of any party or witnesses shall exceed three hours regardless of the number of parties involved in the case, except by stipulation of the parties or by order upon showing that good cause warrants a lengthier examination. Ill. Sup. Ct. Rule 206(d).

Atty. No. 90707

Pro Se 99500

Name: Daniel Cummings

Atty. for: Toshiba Corporation and Toshiba America Electronic Components, Inc.

Address: 150 South Wacker Drive, Suite 3025

City/State/Zip: Chicago, IL 60606

Telephone: (312) 372-2345

Issued by:

Signature

☒ Attorney

☐ Clerk of Court

Date:

☐ I served this subpoena by mailing a copy, as required by Ill. Sup. Ct. Rules 11, 12 and 204(a)(2), to _____
by certified mail, return receipt requested (Receipt # _____) on _____.

I paid the witness \$ _____ for witness and mileage fees.

☐ I served this subpoena by handing a copy to _____ on _____.

I paid the witness \$ _____ for witness and mileage fees.

(Signature of Server)

(Print Name)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS